## Case 1:12-cv-04525-PKC-AKT Document 23 Filed 01/21/13 Page 1 of 15 PageID #: 112

Representing Management Exclusively in Workplace Law and Related Litigation

58 South Service Road Suite 410 Melville, New York 11747 Tel 631 247-0404 Fax 631 247-0417 www.iacksonlewis.com

Jackson Lewis LLP

ALBANY, NY ALBUQUERQUE, NM ATLANTA, GA AUSTIN TX BALTIMORE, MD BIRMINGHAM, AL BOSTON, MA CHICAGO, IL CINCINNATI, OH CLEVELAND, OH DALLAS, TX DENVER, CO

DETROIT, MI GREENVILLE, SC HARTFORD, CT HOUSTON TX INDIANAPOLIS, IN IACKSONVILLE, FL LAS VEGAS, NV LONG ISLAND, NY LOS ANGELES, CA MEMPHIS, TN MIAMI, FL MILWAUKEE, WI

MINNEAPOLIS, MN MORRISTOWN, NJ NEW ORLEANS, LA NEW YORK, NY NORFOLK, VA OMAHA, NE ORANGE COUNTY, CA ORLANDO, FL. PHILADELPHIA, PA PHOENIX, AZ PITTSBURGH, PA PORTLAND, OR

PORTSMOUTH, NH PROVIDENCE, RI RALEIGH-DURHAM, NC RICHMOND, VA SACRAMENTO, CA SAINT LOUIS, MO SAN DIEGO, CA SAN FRANCISCO, CA SEATTLE, WA STAMFORD, CT WASHINGTON, DC REGION WHITE PLAINS, NY

January 21, 2013

#### VIA ECF

jackson lev

Judge Joseph F. Bianco U.S. District Court Eastern District of New York Long Island Courthouse 100 Federal Plaza Central Islip, NY 11722-4438

Re:

Sidz, et al. v. E&M ESR, Inc., et al.

Case No.: 12-cv-4525

Gebarowski v. E&M ESR, Inc., et al.

Case No.: 12-cv-5375

#### Dear Jude Bianco:

We represent the Defendants in the above referenced cases. These cases have been consolidated for pre-trial purposes. In accordance with the parties' Stipulation, "So Ordered" by the Court on January 9, 2013, we are writing to address the one disputed issue the parties agreed to submit to the Court for resolution—Plaintiffs' Plaintiffs' request to conditionally certify the collective action for the period after January 1, 2012.

#### I. Background

Plaintiffs are former employees of E&M ESR, Inc. who allege they were denied overtime pay under the Fair Labor Standards Act ("FLSA"). They filed a collective action on behalf of allegedly similarly situated employees under 29 U.S.C. § 216(b). After an initial conference before Magistrate Judge Go, Defendants consented to send Notice to putative members of the collective action, as set forth in the January 9, 2013 Stipulation and Order. consented to permit Notice to be mailed to putative members of the collective action for the period beginning three years prior to the mailing of the Notice through January 1, 2012. But as noted in the Stipulation, the parties disagreed whether the Notice should be sent to employees who were employed after that date, and agreed to submit this one dispute to the Court for resolution.

The Notice should not be mailed to any individual employed after January 1, 2012 because the allegedly unlawful practice challenged in the Amended Complaint was eliminated at the end of 2011. Individuals employed by Defendant E&M after that date, therefore, have no claim and there is no basis upon which to send Notice to them.



Hon. Joseph Bianco USDC/EDNY January 21, 2013 Page 2

Specifically, Plaintiffs allege they were not paid overtime correctly because instead of paying overtime at one and one half their hourly rate of pay, they were paid only their straight-time hourly rate for overtime hours when they worked between 40 and 50 hours; they admit they were paid overtime for hours worked beyond 50 hours. Defendants deny Plaintiffs allegations they were denied overtime pay prior to January 1, 2012 because when time spent commuting to and from work and time spent eating meals (both non-compensable time) are accounted for, they were not denied overtime. Putting the period prior to January 1, 2012 aside, however, as only the period after January 1, 2012 is relevant for purposes of the present dispute, beginning January 1, 2012 Defendants paid overtime for all hours worked over forty. Thus, there is no liability after this period, and Notice should not be sent to those employed after January 1, 2012. See Affidavit of Sebastian Pirog, dated January 21, 2013 (attached).

### II. Plaintiffs' Motion for Conditional Certification for the Period After January 1, 2012 Should Be Denied

District courts may only conditionally certify a collective action in "appropriate cases" where the plaintiff proves he is "similarly situated" to those he seeks to represent. *Hoffmann-La Roche Inc.*, v. Sperling, 493 U.S. 165 (1989); Myers v. Hertz Corp., 624 F.3d 537, 555 (2d Cir. 2010). The Plaintiff bears the burden of proof and is required to make a modest factual showing that they and potential opt-in plaintiffs together were victims of a common policy or plan that violated the law. *Id. Id.* Here, Plaintiffs cannot satisfy this burden because, as set forth in the attached affidavit of Sebastian Pirog, E&M paid overtime to individuals in the purported collective action during the period January 1, 2012 to the present.

Indeed, courts faced with similar circumstances have rightly limited the temporal scope of a putative collective action. In *Morris v. Lettire Constr., Corp.*, for example, Judge Buchwald placed an end date on the group to be included in the FLSA collective action notice process based on a practice change. 2012 U.S. Dist. LEXIS 134860, at \*18-20 (S.D.N.Y. Sept. 18, 2012); *see also Walker v. HongHua Am., LLC*, 870 F. Supp. 2d 462, 472-473 (S.D. Tex. 2012)("policy change demonstrates that those employed by Defendant [after January 12, 2012] are not 'similarly situated' to those employed before that time, as they are not together 'victims of a single decision, policy, or plan,' regardless of whether FLSA violations continued to occur after that time"); *Tolentino v. C & J Spec-Rent Servs.*, 716 F. Supp. 2d 642, 654 (S.D. Tex. 2010)(placing end date based on un-rebutted policy change).

Plaintiffs have not met their burden in establishing E&M failed to pay overtime after the January 1, 2012. Accordingly, Plaintiffs' request to conditionally certify a collective action for the period after January 1, 2012 should be denied.



Hon. Joseph Bianco USDC/EDNY January 21, 2013 Page 3

Respectfully submitted,

JACKSON LEWIS LLP

Jeffrey W. Brecher

NPT:dc Enclosure

cc: Lloyd Ambinder, Esq. (via ECF)

Neil H. Greenberg, Esq. (via ECF)

4847-9204-3282, v. 1

# UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK

JACKSON LEWIS LLP
ATTORNEYS FOR DEFENDANTS
58 South Service Road, Suite 410
Melville, New York 11747
(631) 247-0404

ATTORNEYS OF RECORD: JEFFREY W. BRECHER, ESQ. NOEL P. TRIPP, ESQ.

DARIUSZ SIDZ, TOMASZ ORZECHOWSKI, and ARKADIUSZ WAKULUK, individually and on behalf of all other persons similarly situated who were employed by E&M ESR, INC., and/or any other entities affiliated with, controlling, or controlled by E&M ESR, INC. and/or MAGDALENA PALUCHIEWICZ and ERNEST PIROG,

Plaintiffs,

Case No. 12-cv-4525

VS.

E&M, ESR, INC., MAGDALENA PALUCHIEWICZ, AND ERNEST PIROG, and/or any other entities affiliated with, controlling, or controlled by E&M ESR, INC., MAGDALENA PALUCHIEWICZ, and/or ERNEST PIROG,

Defendants.

NINA GEBAROWSKI, and on behalf of all others similarly situated,

Plaintiff.

Case No. 12-cv-5375

VS.

E&M, ESR, INC. and MAGDALENA R. PALUCHIEWICZ,

Defendants.

AFFIDAVIT OF SEBASTIAN PIROG

STATE OF NEW YORK	)	
	) ss	*
COUNTY OF SUFFOLK	)	

Sebastian Pirog, deposes and says:

- 1. I serve as the Director of Operations for Defendant E&M, ESR, Inc. ("E&M"). In that role, I am familiar with how E&M pays its workers, including overtime. This affidavit is based on my personal knowledge. I am submitting this affidavit in opposition to Plaintiffs' request to send a court approved Notice to those individuals hired after January 1, 2012.
- 2. E & M has paid overtime to all employees Plaintiffs seek to represent in the collective action (i.e., employees they designate as "drivers" or "field representatives") from the period January 1, 2012 to the present. E&M denies Plaintiffs allegations that they were denied all overtime for the period prior to January 1, 2012, but beginning January 1, 2012, E&M modified its pay practices so that, without considering time spent commuting or time spent on meals, employees were paid overtime when they work more than 40 hours in a week.
- 3. Attached hereto are paystubs for various individuals who were hired by E&M after January 1, 2012, and to whom Plaintiff wishes to send Notice. As is evident from the records, each employee was paid overtime when they worked more than 40 hours in a week.

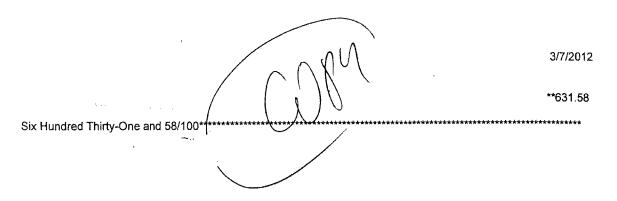
Selostin Pig EBASTIAN PIROP

Sworn to and subscribed before me this 2/<sup>sh</sup> day of January, 2013.

4852-2110-7474, v. 2

Odmis Omrab Osrad Oprast (Specific public JONATHAN KAHN Notary, Public - State of New York NO. 01KA5065261

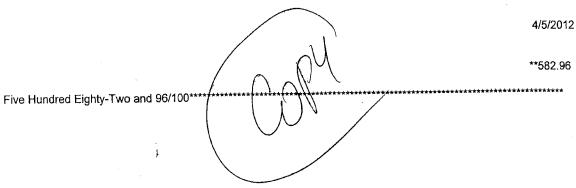
Gualifled in Suffolk Co. My Commission Expires



Pay Period: 02/27/2012 - 03/04/2012

Employee					SSN	
		,	- 40 46.		: Pay Period: 02/27/2012 - 03/04/2012	Pay Date: 03/07/2012
Earnings and Hours	Qty	Rate	Current	YTD Amount	•	
Hourly Rate	40:00	12.00	480.00	1,199.60	•	
Hourly Overtime	12:38	18.00	227.40	520.80		
•			707.40	1,720.40		
Taxes			Current	YTD Amount		
Federal Withholding			-81.00	-184.00		
Social Security Employee			-29.71	-72.28		
Medicare Employee			-10.26	-24.95		
			-120.97	-281.21		
Adjustments to Net Pay			Current	YTD Amount		
Expenses			45.15	84.32		
Net Pay			631.58	1,523.51		

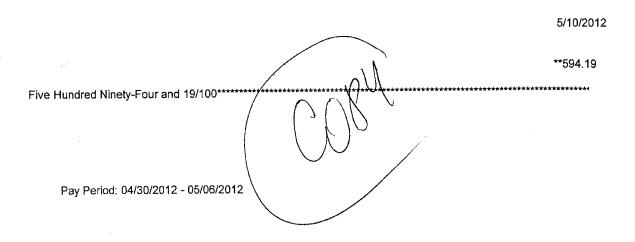
Employee					čen	
Earnings and Hours Hourly Rate Hourly Overtime	Qty 40:00 12:38	Rate 12.00 18.00	Current 480.00 227.40	YTD Amount 1,199.50 520.80 1,720.40	Pay Period: 02/27/2012 - 03/04	Pay Date: 03/07/2012
Taxes Federal Withholding Social Security Employee Medicare Employee			707,40  Current -81.00 -29.71 -10.26 -120.97	YTD Amount -184.00 -72.26 -24.95 -281.21		
Adjustments to Net Pay Expenses			Current 45.15	YTD Amount 84,32		
Net Pay			631,58	1,523.51		



Pay Period: 03/26/2012 - 04/01/2012

Employee						D D I - 0//05/0040
					Pay Period: 03/26/2012 - 04/01/2012	Pay Date: 04/05/2012
Earnings and Hours	Qty	Rate	Current	YTD Amount		
Hourly Rate	40:00	12.00	480.00	480.00		
Hourly Overtime	9:31	18.00	171.30	171.30		
			651,30	651.30		
			Current	YTD Amount		
Taxes			-72,00	-72,00		
Federal Withholding			-72.00 -27.35	-27.35		
Social Security Employee			-27.35 -9.44	-27.33		
Medicare Employee				-108,79		
			-108.79	-100.78		
Adjustments to Net Pay			Current	YTD Amount		
Expenses			40,45	40.45		
Expenses						
Net Pay			582.96	582.96		
11011 0)						

Employee						
					Pay Period: 03/26/2012 - 04/01/2012	Pay Date: 04/05/2012
Earnings and Hours	Qty	Rate	Current	YTD Amount	·	
Hourly Rate	40:00	12,00	480.00	480.00		
Hourly Overtime	9:31	18.00	171.30	171.30		
ribally by brains			651.30	651.30		
Taxes			Current	YTD Amount		•
Federal Withholding			-72.00	-72.00		
Social Security Employee			-27.35	-27.35		
Medicare Employee			-9,44	-9,44		
modicare ciripio) ==			-108.79	-108.79		
Adjustments to Net Pay			Current	YTD Amount		
Expenses			40.45	40.45		
Net Pay			582.96	582,96		



Employee						
Employee	1 -				Pay Period: 04/30/2012 - 05/06/2012	Pay Date: 05/10/2012
Earnings and Hours	Qty	Rate	Current	YTD Amount	•	
Hourly Rate	40:00	12,00	480.00	2,674.00		
Hourly Overtime	9:14	18.00	166.20	1,353.00		
		****	646.20	4,027.00		
· Taxes			Current	YTD Amount		
Federal Withholding			-71.00	-459.00		
Social Security Employee			-27.14	-169,13		
Medicare Employee			-9.37	-58.39		
Modical and project			-107.51	-686.52		
Adjustments to Net Pay			Current	YTD Amount		
Car Deduction			-50.00	-250.00		
Expenses			105.50	1,386,15		
CAPELISUS		•	55,50	1,136.15		
Net Pay			594.19	4,476.63		

Employee						
Cimpioyee					. 1400	
					Pay Period: 04/30/2012 - 05/06/2012	Pay Date: 05/10/2012
Earnings and Hours	Qty	Rate	Current	YTD Amount		
Hourly Rate	40:00	12.00	480.00	2,674.00		
Hourly Overtime	9:14	18.00	166.20	1,353.00		
( icani, crossing			646,20	4,027.00		
Taxes			Current	YTD Amount		
Federal Withholding			-71,00	-459.00		
Social Security Employee			-27.14	-169.13		
Medicare Employee			-9.37	-58.39		
			-107.51	-686.52		
			•			
Adjustments to Net Pay			Current	YTD Amount		
Car Deduction			-50.00	-250.00		
Expenses			105.50	1,386.15		
			55.50	1,136.15		
Net Pay			594,19	4,476.63		

Employee						
					Pay Period: 05/28/2012 - 06/03/2012	Pay Date: 06/07/2012
Earnings and Hours	Qty	Rate	Current	YTD Amount		
Hourly Rate	40:00	12,00	480.00	5,760.00		
Hourly Overtime	12:43	18.00	228.90	4,466.10		
			708.90	10,226.10		
Taxes			Current	YTD Amount		
Federal Withholding			-55.00	-921.00		
Social Security Employee			-29.78	-429,50		
Medicare Employee			-10.28	-148.28		
IL - Withholding			-33.52	-488.23		
			-128.58	-1,987.01		
Adjustments to Net Pay			Current	YTD Amount		
Expenses			396.52	4,647.53		
Car Deduction			0.00	-400.00		
04. 1001011011			396.52	4,247.53		
Net Pay			976.84	12,486.62		

Employee						
					Pay Period: 05/28/2012 - 06/03/2012	Pay Date: 06/07/2012
Earnings and Hours	Qty	Rate	Current	YTD Amount	•	
Hourly Rate	40:00	12,00	480.00	5,760.00		
Hourly Overtime	12:43	18.00	228.90	4,466.10		
			708,90	10,226.10		
Taxes			Current	YTD Amount		
ederal Withholding			-55.00	-921.00		
Social Security Employee			-29.78	-429,50		
Medicare Employee			-10.28	-148.28		
L - Withholding			-33,52	-488.23		
			-128.58	-1,987.01		
Adjustments to Net Pay			Current	YTD Amount		
Expenses			396.52	4,647,53		
Car Deduction			0.00	-400,00		
odi boddosom			396,52	4,247.53		
Net Pay			976.84	12,486.62		

Pay Period: 07/16/2012 - 07/22/2012

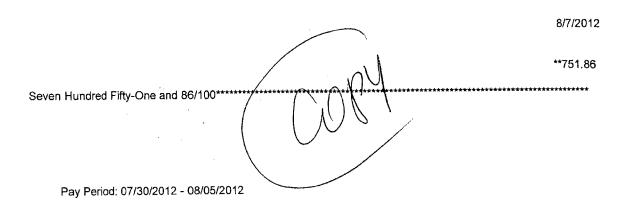
				CC.
				D D
				Pay Period: 07/16/2012 - 07/22/2012
Qty				
40:00	12.35	494.00		
9:22	18.53	173.56		
		667,56	14,045.60	
	•	Current	YTD Amount	
		-75.00	-1,642.00	
		-28.04	-589.92	
		-9.68	-203.66	
		-30.55	-651.91	
		-143.27	-3,087.49	
		Current	YTD Amount	
			3.931.75	
	***	200,00	3,581.75	
		724.29	14,539.86	
		40:00 12.35	40:00 12.35 494.00 173.56 667.56  Current -76:00 -28.04 -9.68 -30.55 -143.27  Current 200.00 0.00 200.00	40:00 12:35 494:00 9,218:00 9:22 18:53 173:56 4,827:60  Current YTD Amount -75:00 -1,642:00 -28:04 -589:92 -9:68 -203:66 -30:55 -651:91 -143:27 -3,087:49  Current YTD Amount 200:00 3,931:75 0.00 -350:00

E&M ESR Inc, 21 St. Nicholas Ave, Lake Grove, NY 11755 631-471-5793

Employee				
Dec. of St.				
Earnings and Hours	Qty	Rate	Current	YTD Amount
Hourly Rate	40:00	12,35	494.00	9,218.00
Hourly Overtime	9:22	18.53	173.56	4,827.60
Troday Granding			667.56	14,045.60
Tayon			Current	YTD Amount
Taxes Federal Withholding			-75,00	-1,642,00
Social Security Employee			-28.04	-589,92
Medicare Employee			-9.68	-203.66
MA - Withholding			-30.55	-651.91
Way - Withinoiding			-143,27	-3,087.49
				\
Adjustments to Net Pay			Current	YTD Amount
Expenses			200.00	3,931.75
Car Deduction			0.00	-350.00
			200.00	3,581.75
Net Pay			724.29	14,539.86

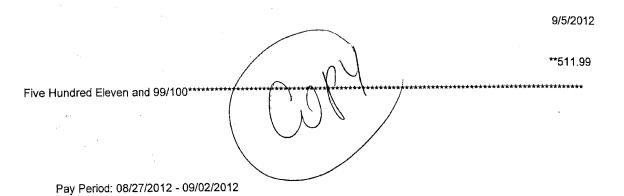
Pay Period: 07/16/2012 - 07/22/2012 Pay Date: 07/25/2012

Pay Date: 07/25/2012



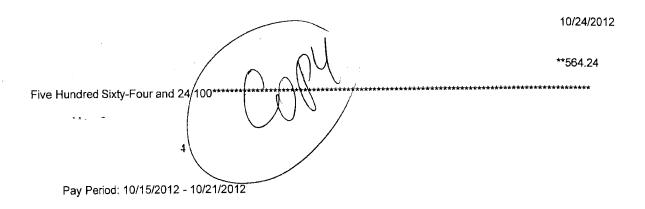
Emplovee					005	
					Pay Period: 07/30/2012 - 08/05/2012	Pay Date: 08/07/2012
Earnings and Hours	Qty	Rate	Current	YTD Amount		
Hourly Rate	40:00	12.00	480.00	9,016.40		
Hourly Overtime	9:04	18.00	163.20	2,262.30		
			643.20	11,278.70		
Taxes			Current	YTD Amount		
Federal Withholding			-20.00	-278.00		
Social Security Employee			-27.02	-473,71		
Medicare Employee			-9.33	-163.54		
NY - Withholding			-21.16	-346.60		
NY - Disability Employee			-0.60	-11.40		
			-78.11	-1,273.25		
Adjustments to Net Pay			Current	YTD Amount		
Expenses			186.77	508,85		
			751.86	10,514.30		
Net Pay			731.00	10,314.30		

Employee						
					Pay Period: 07/30/2012 - 08/05/2012	Pay Date: 08/07/2012
Earnings and Hours	Qty	Rate	Current	YTD Amount	•	
Hourly Rate	40:00	12.00	480.00	9,016.40		
Hourly Overtime	9:04	18.00	163.20	2,262.30	•	
,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,			643.20	11,278.70		
Taxes			Current	YTD Amount		
Federal Withholding			-20.00	-278.00		
Social Security Employee			-27.02	-473,71		
Medicare Employee			-9.33	-163.54		
NY - Withholding			-21.16	-346.60		
NY - Disability Employee			-0.60	-11.40		
			-78.11	-1,273.25		
Adjustments to Net Pay			Current	YTD Amount		
Expenses			186.77	508,85		
Net Pay			751.86	10,514.30		



Employee						
		7			Pay Period: 08/27/2012 - 09/02/2012	Pay Date: 09/05/2012
Earnings and Hours	Qty	Rate	Current	YTD Amount	•	
Hourly Rate	40:00	12.65	506.00	12,811.46		
Hourly Overtime	5:37	18.98	106.60	9,818.43		
			612.60	22,629.89		
Taxes			Current	YTD Amount		
Federal Withholding			-66,00	-3,018.00		
Social Security Employee			-25,73	-950.46		
Medicare Employee			-8,88	-328.13		
,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,			-100,61	-4,296.59		
Adjustments to Net Pay			Current	YTD Amount		
Car Deduction			0.00	-450,00		
Expenses			0.00	1,164.92		
Expenses		_	0.00	714.92	v.	
Net Pay			511.99	19,048.22		

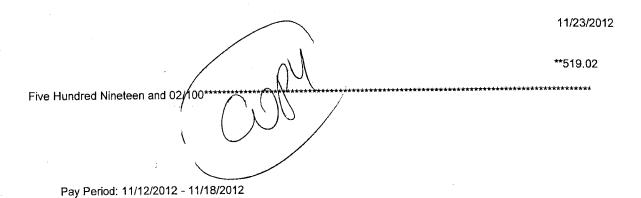
Employee					,,	
					Pay Period: 08/27/2012 - 09/02/2012	Pay Date: 09/05/2012
Earnings and Hours	Qty	Rate	Current	YTD Amount	• • • • • • • • • • • • • • • • • • • •	
Hourly Rate	40:00	12,65	506.00	12,811.46		
Hourty Overtime	5:37	18.98	106.60	9,818,43		
riodity ordinate		-	612.60	22,629.89		
Taxes			Current	YTD Amount		
Federal Withholding			-66.00	-3,018.00		
Social Security Employee			-25.73	-950,46		
Medicare Employee			-8.88	-328.13		
(Madical California)			-100.61	-4,296.59		
Adjustments to Net Pay			Current	YTD Amount		
Car Deduction			0.00	-450.00		
Expenses			0.00	1,164,92		
Exportoco			0.00	714.92		
Net Pay			511.99	19,048.22		



Employee						
					Pay Period: 10/15/2012 - 10/21/2012	Pay Date: 10/24/2012
Earnings and Hours	Qty	Rate	Current	YTD Amount	•	
Hourly Rate	40:00	12.40	496,00	14,442.72		
Hourly Overtime	9:49	18.60	182,59	5,941.22		
			678.59	20,383.94		
Taxes			Current	YTD Amount		
Federal Withholding			-76.00	-2,352,00		
Social Security Employee			-28.51	-856,13		
Medicare Employee			-9.84	-295.57		
, ,			-114.35	-3,503.70		
Adjustments to Net Pay			Current	YTD Amount		
Car Deduction			0.00	-300.00		
Expenses			0.00	1,679.03		
•			0.00	1,379.03		
Net Pay			564.24	18,259.27		

Employee		<del></del>			
					Pa
Earnings and Hours	Qty	Rate	Current	YTD Amount	
Hourly Rate	40:00	12.40	496.00	14,442.72	
Hourly Overtime	9:49	18.60	182.59	5,941.22	
The state of the s			678.59	20,383.94	
Taxes			Current	YTD Amount	
Federal Withholding			-76.00	-2,352.00	
Social Security Employee			-28.51	-856.13	
Medicare Employee			-9.84	-295.57	
Medical Employee			-114.35	-3,503.70	
Adjustments to Net Pay			Current	YTD Amount	
Car Deduction			0.00	-300,00	
Expenses			0.00	1,679.03	
ширеново		_	0.00	1,379.03	
Net Pay			564.24	18,259.27	

ry Period: 10/15/2012 - 10/21/2012 Pay Date: 10/24/2012



Employee				
Earnings and Hours	Qty	Rate	Current	YTD Amount
Hourly Rate	40:00	12.40	496.00	16,365.75
Hourly Overtime	6;47	18.60	126.17	6,475.97
Trouity of States			622.17	22,841.72
Taxes			Current	YTD Amount
Federal Withholding			-68.00	-2,619,00
Social Security Employee			-26.13	-959.35
Medicare Employee			-9.02	-331.20
Modicale Employee			-103.15	-3,909.55
Adjustments to Net Pay			Current	YTD Amount
Car Deduction			0.00	-300.00
Expenses			0.00	1,682.03
Experience .		_	0.00	1,382.03
Net Pay		•	519.02	20,314.20

unt .75 .97 .72 unt .00 .35 .20 .55

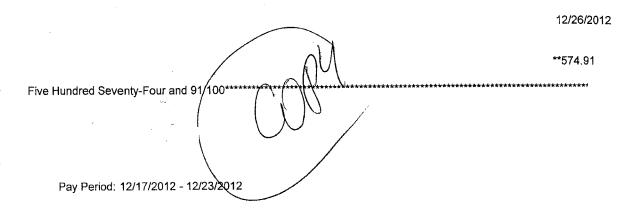
Pay Period: 11/12/2012 - 11/18/2012

Pay Date: 11/23/2012

E&M ESR Inc., 21 St. Nicholas Ave, Lake Grove, NY 11755 631-471-5793

Employee				
Earnings and Hours	Qty	Rate	Current	YTD Amount
Hourly Rate	40:00	12.40	496.00	16,365.75
Hourly Overtime	6:47	18.60	126.17	6,475.97
rioun, a remine			622.17	22,841.72
Taxes			Current	YTD Amount
Federal Withholding			-68.00	-2,619.00
Social Security Employee			-26.13	-959.35
Medicare Employee			-9.02	-331.20
Wicalcare Employee			-103,15	-3,909.55
Adjustments to Net Pay			Current	YTD Amount
Car Deduction			0.00	-300.00
Expenses			0.00	1,682.03
Expenses			0.00	1,382.03
Net Pay			519,02	20,314.20

Pay Period: 11/12/2012 - 11/18/2012 Pay Date: 11/23/2012



Employee	RSM							
					Pay Period: 12/17/2012 - 12/23/2012	Pay Date: 12/26/2012		
Earnings and Hours	Qty	Rate	Current	YTD Amount	•			
Hourly Rate	40:00	12.65	506,00	20,907.46				
Hourly Overtime	9:48	18.98	186.00	13,904.49				
			692.00	34,811.95				
Taxes			Current	YTD Amount				
Federal Withholding			-78,00	-4,511.00				
Social Security Employee			-29.06	-1,462.10				
Medicare Employee			-10.03	-504.77				
			-117.09	-6,477.87				
Adjustments to Net Pay			Current	YTD Amount				
Car Deduction			0,00	-450.00				
Expenses			0.00	1,164.92				
		-	0.00	714.92				
Net Pay			574.91	29,049.00				

Employee						
					Pay Period: 12/17/2012 - 12/23/2012	Pay Date: 12/26/2012
Earnings and Hours	Qty	Rate	Current	YTD Amount		·
Hourly Rate	40:00	12.65	506.00	20,907.46		
Hourly Overtime	9:48	18.98	186.00	13,904,49		
			692.00	34,811.95		
Taxes			Current	YTD Amount		
Federal Withholding			-78.00	-4,511,00		
Social Security Employee			-29.06	-1,462.10		
Medicare Employee			-10.03	-504.77		
			-117.09	-6,477.87		
Adjustments to Net Pay			Current	YTD Amount		
Car Deduction			0.00	-450.00		
Expenses			0.00	1,164.92		
E		-	0.00	714.92		
Net Pay			574.91	29,049.00		